

REMARKS

This Application has been carefully in light of the Final Action mailed June 29, 2005. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Claims 31, 34-39, 41-43, 50, 52-60, 62-67, 69-72, and 76 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ahmed, et al. in view of Mikkonen and further in view of Menon, et al. Independent Claims 31, 39, 50, 60, 64, and 76 recite in general a first wireless virtual path established for a call associated with wireline protocol traffic and a second wireless virtual path associated with wireless protocol traffic. By contrast, the Examiner readily admits that the Mikkonen and Ahmed, et al. patents fail to disclose first and second wireless virtual paths established for a call for routing wireline and wireless protocol traffic as provided by the claimed invention. The Examiner attempts to combine the Menon, et al. patent with the Mikkonen and Ahmed, et al. patents to support separate virtual paths for wireless and wireline protocol traffic. However, the portion of the Menon, et al. patent associated with FIG. 8c cited by the Examiner merely discloses tunneling a single bearer channel with its associated signaling channel through its anchor station. As a result, the Menon, et al. patent merely provides a first path for signaling and a second path for bearer traffic. The path for signaling is associated with the bearer traffic carried on the path for bearer traffic and thus has no similarity with a separate path for traffic different from the path for bearer traffic as would be required to read on the claimed invention. The Menon, et al. patent provides no disclosure related to wireline or wireless protocol traffic let alone disclosing a separate virtual path for each type of protocol traffic. The

claimed invention provides for wireless protocol traffic to be transmitted over a first wireless virtual path and wireline protocol traffic to be transmitted over a second wireless virtual path while the Menon, et al. patent merely provides a bearer path for traffic and its associated signal path for traffic processing. Thus, the Menon, et al. patent lacks separate wireless virtual paths for wireless protocol traffic and wireline protocol traffic as required in the claimed invention. The allowability of Claim 33 is confusing as it should not matter the further differences between the traffic carried by the paths beyond that provided in Independent Claim 31 since the prior art fails to disclose having both a wireline protocol traffic wireless virtual path and a wireless protocol traffic wireless virtual path as provided by the claimed invention. Therefore, Applicant respectfully submits that Claims 31, 34-39, 41-43, 50, 52-60, 62-67, 69-72, and 76 are patentably distinct from the proposed Ahmed, et al. - Mikkonen - Menon, et al. combination.

Applicant notes with appreciation the continued allowance of Claims 1-5, 7, 8, 10-19, 21, 22, 24-30, 44-46, 48, and 49.

Applicant notes with appreciation the allowability of Claim 33 if placed into independent form. Applicant respectfully defers placing Claim 33 into independent form pending a review of this Response to Examiner's Final Action.

This Response to Examiner's Action is necessary to address the Examiner's characterization of the prior art in support of the rejections to the claims. This Response to Examiner's Action could not have been presented earlier as the Examiner has only now provided a most recent characterization of the cited art.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant



Charles S. Fish

Reg. No. 35,870

August 29, 2005

CORRESPONDENCE ADDRESS:

2001 Ross Avenue, Suite 600

Dallas, TX 75201-2980

phone (214) 953-6507

fax (214) 661-4507

Customer Number: 05073